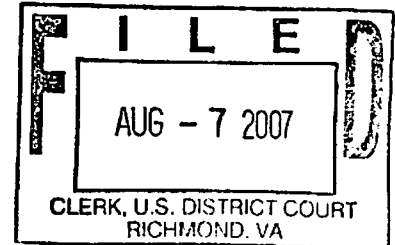


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



BENJAMIN WILLIAMS,

Petitioner,

v.

Civil Action No. **3:07CV362**

COMMONWEALTH OF VIRGINIA,

Respondent.

MEMORANDUM OPINION

By Memorandum Order entered on July 3, 2007, the Court conditionally filed Petitioner's 28 U.S.C. § 2254 petition. On July 10, 2007, the July 3, 2007 Memorandum Order was returned to the Court by the United States Postal Service marked: "RETURN TO SENDER"; "ATTEMPTED - NOT KNOWN"; and, "UNABLE TO FORWARD." Petitioner's failure to keep the Court apprised of his current address indicates his lack of interest in prosecuting the present action. *See* Fed. R. Civ. P. 41(b). Accordingly, the petition will be DISMISSED WITHOUT PREJUDICE.

It is so ORDERED.

Date: **AUG 07 2007**
Richmond, Virginia

 /s/
Richard L. Williams
United States District Judge